

(JWJx), CLOSED

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
(Western Division – Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:00-cv-13137-LGB -JWJ**

Munchkin Inc v. First Years Inc  
Assigned to: Judge Lourdes G. Baird  
Referred to: Magistrate Judge Jeffrey W. Johnson  
Demand: \$0  
Cause: 35:145 Patent Infringement

**Plaintiff**

**Munchkin Inc**  
*a Delaware corporation*

Date Filed: 12/14/2000  
Date Terminated: 02/10/2005  
Jury Demand: Both  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

represented by **Patrick F Bright**  
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V.

**Defendant**

**First Years Inc**  
*a Delaware corporation*

represented by **Juanita Rose Brooks**  
Fish & Richardson  
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**Counter Claimant**

**First Years Inc**

represented by **Juanita Rose Brooks**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Counter Defendant**

**Munchkin Inc**

represented by **Patrick F Bright**  
(See above for address)  
**LEAD ATTORNEY**  
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**Sidford Lewis Brown**  
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Date Filed	#	Docket Text
12/14/2000	1	COMPLAINT filed Summons(es) Issued referred to Discovery Jeffrey W. Johnson; Jury Demand (pc) (Entered: 12/18/2000)
12/14/2000	2	CERTIFICATION OF INTERESTED PARTIES filed by plaintiff Munchkin Inc (pc) (Entered: 12/18/2000)
12/14/2000		REPORT ON THE FILING OF AN ACTION REGARDING PATENT OR TRADEMARK (cc: form mailed to Washington, D.C.)(Opening) (bp) (Entered: 12/21/2000)
01/05/2001	3	PROOF OF SERVICE executed upon defendant The First Years Inc, a Delaware corporation on 12/21/00 by personal svc by delivering S/C to CT Corporation System, Agent Auth to rcv svd of process by lv w/Mara Velasco, Process Specialist (ir) (Entered: 01/08/2001)
01/05/2001	4	DECLARATION of John Jacobs by plaintiff Munchkin Inc re: Lost Summons (ir) (Entered: 01/08/2001)
01/11/2001	5	CERTIFICATE OF INTERESTED PARTIES filed by defendant First Years Inc (pj) (Entered: 01/12/2001)
01/11/2001	6	STIPULATION filed defendant First Years Inc to answer complaint [1-1] shall now be due on 2/9/01 (jp) (Entered: 01/16/2001)
02/09/2001	7	ORDER SETTING SCHEDULING CONF by Judge Lourdes G. Baird that this mtr is set for a scheduling conference @ 9:00 on 5/7/01 (Psend) (jp) (Entered: 02/12/2001)
02/09/2001	8	ANSWER to complaint [1-1] and COUNTERCLAIM by defendant First Years Inc against plaintiff Munchkin Inc; jury demand ; summons not issued (jp) (Entered: 02/12/2001)
02/13/2001	10	NOTICE by plaintiff Munchkin Inc of related case(s) CV 00-13138 NM (AJWx) (rn) (Entered: 02/22/2001)
02/14/2001	9	ANSWER TO COUNTERCLAIM [8-2] by counter-defendant Munchkin Inc; Jury demand (jp) (Entered: 02/15/2001)
03/12/2001	11	ANSWER TO COUNTERCLAIM [8-2] by counter-defendant Munchkin Inc; Jury demand (jp) (Entered: 03/13/2001)
04/20/2001	12	REPORT OF PARTIES PLANNING MEETING filed. Plf's estimated length of trial 2 days Crt & Dft's estimated length of trial 6 days Crt (jp) (Entered: 04/23/2001)
05/07/2001	13	MINUTES before Judge Lourdes G. Baird: Scheduling conf is held. The Crt confers w/cnsl. The Crt ORDERS cnsl to meet & confer & file a Joint Position Report NLT 5/21/01, as discussed in Crt. The Crt fur ORDERS a telephone conf call set for 5:00 on 5/24/01 CR: John Turman (cc: Cnsl) (Send) (jp) (Entered: 05/09/2001)
05/18/2001	14	STIPULATION and ORDER by Judge Lourdes G. Baird that the date by which the ptys must meet & confer & file a joint position report as set forth in the Ord is CONTINUED from 5/21/01 to 5/31/01. IT IS FUR ORD that the telephonic hrg sched in the Ord is CONT to 5:30 on 6/04/01 (jp) (Entered: 05/21/2001)
05/25/2001	15	REPORT of parties planing meeting filed by plaintiff Munchkin Inc, counter-defendant Munchkin Inc (yc) (Entered: 05/29/2001)
05/31/2001	16	REPORT OR THE PARTIES POSITIONS by plaintiff Munchkin Inc re defendant's request for a Markman hearing (jp) (Entered: 06/01/2001)

05/31/2001	17	POSITION REPORT on claim interpretation filed by defendant, counter-claimant (FILED BY FAX) (jp) (Entered: 06/01/2001)
06/04/2001	<u>18</u>	MINUTES: discovery ddl set on 10/1/01; IN COURT HEARING re: construction claims is set on 10:00 8/6/01; pretrial conference on 9:00 3/4/02; telephone conference held; jury trial set on 8:30 4/16/02 by Judge Lourdes G. Baird CR: N/A (see doc for details) (bp) (Entered: 06/06/2001)
06/22/2001	19	JOINT CLAIN CONSTRUCTION STMTR by defendant First Years Inc (yc) (Entered: 06/25/2001)
06/29/2001	20	OPENING BRIEF FILED by plaintiff Munchkin Inc on claim interpretation issues (jp) (Entered: 07/02/2001)
07/11/2001	22	CLAIM CONSTRUCTION BRIEF FILED by defendant First Years Inc, counter-claimant First Years Inc (rrey) (Entered: 07/13/2001)
07/12/2001	<u>21</u>	MINUTES: The court orders a telephone conference call on 3:00 7/20/01 in order to discuss status of the case by Judge Lourdes G. Baird CR: N/A (bp) (Entered: 07/13/2001)
07/18/2001	24	REPLY BRIEF ON CLAIM interpretation issues FILED by plaintiff &counter-dft Munchkin Inc (pc) (Entered: 07/24/2001)
07/20/2001	23	MINUTES: Plf is ordered file a copy of its reissue appl (under seal, if desired), &documentation indicating the date upon which such appl was filed bef the patent &trademark office nlt 7/30/01; this action is stayed w/out prejudice to dft's right to move to vacate the stay in court hearing re Markman Hearing vacated , telephone conference set on 5:00 2/12/02 by Judge Lourdes G. Baird CR: N/P (bg) (Entered: 07/24/2001)
07/26/2001	25	NOTICE re document w/held from case file (bg) (Entered: 07/30/2001)
07/26/2001	26	NOTICE re document w/held from case file (bg) (Entered: 07/30/2001)
01/29/2002	<u>27</u>	MINUTES: The parties are to meet &confer nlt 2/11/02 with the goal of agreeing upon jury instructions &verdict forms by Judge Lourdes G. Baird CR: N/P (bg) (Entered: 01/30/2002)
02/05/2002	28	STATUS CONFERENCE REPORT by plaintiff Munchkin Inc (bg) (Entered: 02/06/2002)
02/14/2002	29	MINUTES: This stay in this actionis continued again without prejudice to dft's right to move to vacate the stay; In light of the stay all remaining dates in the case are vacated; the parties are to file quarterly joint status report with the next report due nlt 5/6/02 ; discovery ddl ; Final Pretrial Conference vacated telephone conference vacated; jury trial vacated by Judge Lourdes G. Baird CR: N/P (bg) (Entered: 02/22/2002)
05/09/2002	30	JOINT QUARTERLY STATUS REPORT on stayed case (bg) (Entered: 05/10/2002)
08/07/2002	31	JOINT QUARTERLY STATUS REPORT on stayed case (bg) (Entered: 08/08/2002)
11/19/2002	32	Joint quarterly STATUS REPORT on stayed case (bg) (Entered: 11/20/2002)
02/11/2003	33	JOINT QUARTERLY STATUS REPORT ON STAYED CASE (seal) (Entered: 02/14/2003)
05/07/2003	34	JOINT QUARTERLY STATUS REPORT ON STAYED CASE (bg) (Entered: 05/07/2003)
08/06/2003	35	JOINT QUARTERLY STATUS REPORT ON STAYED CASE (bg) (Entered: 08/07/2003)
11/12/2003	36	JOINT QUARTERLY STATUS REPORT ON STAYED CASE (bg) (Entered: 11/13/2003)

02/06/2004	37	JOINT QUARTERLY STATUS REPORT ON STAYED CASE (shb, ) (Entered: 02/13/2004)
05/06/2004	38	JOINT QUARTERLY STATUS REPORT ON STAYED CASE. (bg, ) (Entered: 05/12/2004)
08/23/2004	39	JOINT QUARTERLY STATUS REPORT ON STAYED CASE filed by Defendant First Years Inc. (bg, ) (Entered: 08/25/2004)
12/16/2004	40	JOINT QUARTERLY STATUS REPORT ON STAYED CASE. (bg, ) (Entered: 12/17/2004)
01/28/2005	41	MINUTES (IN CHAMBERS) On the Courts own motion, the Court hereby sets a Telephone Conference regarding status of the case and continued stay set for 2/9/2005 02:30 PM before Honorable Lourdes G. Baird.Court Reporter: Not present. (bg, ) (Entered: 02/01/2005)
02/10/2005	<u>42</u>	ORDER REMOVING CASE FROM ACTIVE CASELOAD AND SETTING STATUS REPORT SCHEDULE by Judge Lourdes G. Baird: It is Ordered that this action is hereby removed from this Courts active caseload until further application by the parties or order of this Court. It is Fuurther Ordered that counsel for plaintiff shall file a quarterly status report commencing on 6/9/05. This Court retains full jurisdiction over this action and this Order shall not prejudice any party to this action. All dates in this action are hereby VACATED. (Made JS-6. Case Terminated.)(bg, ) (Entered: 02/11/2005)
02/10/2005		REPORT ON THE DETERMINATION OF AN ACTION REGARDING patent or trademark (cc: form mailed to Washington, D.C.) (Closing) (bg, ) (Entered: 12/16/2005)
04/12/2005	43	JOINT QUARTERLY STATUS REPORT On Stayed Case filed by Defendant First Years Inc. (yl, ) (Entered: 04/19/2005)
06/08/2005	44	JOINT QUARTERLY STATUS REPORT ON STAYED CASE. (bg, ) (Entered: 06/15/2005)
09/15/2005	45	JOINT QUARTERLY STATUS REPORT ON STAYED CASE. (bg, ) (Entered: 09/16/2005)